

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE  
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office JAN 17 1980

Returned to applicant for correction.....

Corrected application filed..... Map filed JAN 17 1980 under 40331The applicant Unincorporated Town of Montello, Nevada c/o Boyack Surveying, Inc.515 South Fifth Street of Elko  
Street and No. or P.O. Box No. City or TownNevada 89801 hereby make S application for permission to change the  
State and Zip Code No.Manner and Place of Useof water heretofore appropriated under Certificate 1771 - Appln. No. 8074

(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

- The source of water is Killian Springs No. 2  
Name of stream, lake, underground, spring or other source.
- The amount of water to be changed 0.02 cfs  
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
- The water to be used for Municipal  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water heretofore used for General Railroad and Domestic  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water is to be diverted at the following point Lot 4 Section 33, T 38 N, R 70 E,  
MDB & M., at a point from which the NE Corner of said Section 33  
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be  
bears N 64° 21' 34" E 3269.79 feet.  
stated.
- The existing point of diversion is located within Lot 4 Section 33, T 38 N, R 70 E,  
MDB & M., (no tie given).  
If point of diversion is not changed, do not answer.
- Proposed place of use N1/2; N1/2 SW1/4; SW1/4 SW1/4; NW1/4 SE1/4 in Section  
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.  
17, T 39N, R 69 E, MDB&M., (that portion of the above lying  
northerly of the southerly Right-of-Way of the Southern Pacific  
Railroad.
- Existing place of use NE1/4 SW1/4 Section 17, T 39 N, R 69 E, MDB & M.  
Describe by legal subdivisions. If presently used for irrigation, state number of acres irrigated.

- Use will be from January 1 to December 31 of each year.  
Month and Day Month and Day
- Use has been from January 1 to December 31 of each year.  
Month and Day Month and Day

- Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) 4 inch draintile, connected to 3 concrete  
Works of diversion consist of 350 feet of  
boxes, from which the water is conveyed by means of 4 inch cast iron pipe  
lines, having a total length of 190 feet, to a concrete box on the Main  
whether through pipes, ditches, flumes, or other conduits. Killian Springs Pipe Line, located in Lot 4,  
Section 33, T38N, R70E, MDB&M., then in common with water from Killian  
Springs covered by Permit No. 8935, and water from Killian and other  
springs in the state of Utah, is conveyed in a northwesterly direction,  
respectively thru 4492 feet of 6 inch pipe, 4252 feet of 4 inch pipe,  
2528 feet of 6 inch pipe, and 50,530 feet of 8 inch pipe to a 350,000  
gallon steel tank in Montello, Nevada, located in the NE1/4 SW1/4 Section  
17, T39N, R69E, MDB&M.. From the steel tank the water is distributed by  
a system of pipelines to the Town of Montello, Nevada

12. Estimated cost of works.....\$50,000
13. Estimated time required to construct works.....3 years
14. Estimated time required to complete the application of water to beneficial use.....5 years
15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

This filing is for Municipal Use for the Town of Montello, Nevada.

For additional information see maps filed under application 8934.

Annual consumptive use is 10,000,000 gallons.

Compared bl/ jk gk/bc Applicant, Unincorporated Town of Montello, Nevada  
By s/Alan S. Boyack  
Alan S. Boyack  
515 South Fifth Street  
Elko, Nevada 89801  
APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the manner of use and place of use of the waters of Killian Springs No. 2 as heretofore granted under Permit 9074, Certificate 1771, is issued subject to the terms and conditions imposed in said Permit 9074, Certificate 1771, and with the understanding that no other rights on the source will be affected by the change proposed herein. A measuring device must be installed and measurements of water use kept.

The total combined duty of water under this permit and Permits 40336, 40337, and 40338 shall not exceed 10.0 million gallons annually.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.02 cubic feet per second, but not to exceed 4.7 million gallons annually.

Actual construction work shall begin on or before October 3, 1981

Proof of commencement of work shall be filed before November 3, 1981

Work must be prosecuted with reasonable diligence and be completed on or before October 3, 1982

Proof of completion of work shall be filed before November 3, 1982

Application of water to beneficial use shall be made on or before October 3, 1985

Proof of the application of water to beneficial use shall be filed on or before November 3, 1985

Map in support of proof of beneficial use shall be filed on or before

Commencement of work filed.....NOV 15 1982

Completion of work filed.....

Proof of beneficial use filed.....

Cultural map filed.....

Certificate No.....Issued.....

IN TESTIMONY WHEREOF, I, WILLIAM J. NEWMAN  
State Engineer of Nevada, have hereunto set my hand and the seal of  
my office, this 3rd day of APRIL  
A.D. 1981  
William J. Newman  
State Engineer